

REMARKS

Status of Claims

Claims 6-28 are currently pending. Claims 6-28 stand rejected.

Claim Objections

Claim 9 is objected to because the limitation “the voltage” is unclear. Claim 9 has been amended to address the objection. Reconsideration is requested.

Rejections

Rejections Under 35 U.S.C. § 102

Claims 6 and 10-11 are rejected under 35 U.S.C. § 102(3) as being anticipated by U.S. Patent No. 6,770,985 issued to Yabe, et al. (hereinafter referred to as “Yabe”). Claim 6 has been amended to recite that the overheat detector is electrically connected to a power line supplying power from a vehicle battery to a vehicle load. Yabe neither teach nor suggests such an arrangement. Yabe, in contra distinction, teaches the overheat detector DT3 to be connected to temperature detecting diodes D10 and D20 which are not electrically connected to the power line to be sensed. Claim 6 and those that depend therefrom including claim 10 and 11 are therefore patentably distinct from Yabe. Reconsideration and removal of the rejection under 35 U.S.C. § 102 is requested.

Rejections Under 35 U.S.C. § 103

Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,770,985 issued Matsuda, et al. in view of U.S. Patent No. 6,294,845 issued to Yoshida, et al. (hereinafter referred to as “Yoshida”). There appears to be a typographical error in this rejection because US Patent Number 6,770,985 is issued to Yabe and not Matsuda. Therefore in

responding, Applicants have assumed the rejection to be based on the combination of Yabe with Yoshida. Written confirmation of that assumption is requested from the Examiner.

Claim 7 by virtue of its dependency from claim 6 requires elements neither taught nor suggested by Yabe as discussed above. Those elements which Yabe lacks, namely that the overheat detector being electrically connected to a power line supplying power from a vehicle battery to a vehicle load are neither taught nor suggested by Yoshida. Reconsideration and removal of the rejection is requested.

Claims 8-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsuda in view of U.S. Patent No. 6,128,560 issued to Satoshi Ishii (hereinafter referred to as "Ishii"). Again applicants have assumed that due to a typographical error, the rejection is based on the combination of Yabe with Ishii and not Matsuda. Claims 8 and 9 by virtue of their dependency from claim 6 require elements neither taught nor suggested by Yabe as discussed above. Those elements which Yabe lacks, namely that the overheat detector being electrically connected to a power line supplying power from a vehicle battery to a vehicle load are neither taught nor suggested by Ishii. Reconsideration and removal of the rejection is requested.

Claims 12-13, 18-21 and 26-28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsuda in view of U.S. Patent No. 7,016,171 issued to Bax, et al. (hereinafter referred to as "Bax"). Again Applicants have assumed that due to a typographical error, the rejection is based on the combination of Yabe with Bax and not Matsuda. Independent claims 12 and 21 require, inter alia, a voltage detector for detecting a voltage of the vehicle battery. Such a voltage detector is neither taught nor suggested by Yabe. Although the Examiner points to the VS connection and circuit of DT3 in Yabe his reliance on the reference is either misguided or mischaracterized. In column 6 line 5, Yabe teaches that DT3 includes a buffer amplifier for

detecting the forward voltage across diodes D10, D20 in a state where the forward current is being supplied to the diodes D10, D20 from the constant current circuit 1. The DT 3 circuit therefore, does not meet the claim limitation of detecting the voltage of the vehicle battery. In fact Yabe teaches away from detecting battery voltage by instead suggesting sensing the forward voltage across the heat detection diodes. Furthermore, there is no suggestion in the reference either signally nor in combination with Bax to detect the battery voltage in combination with the remaining elements of claims 12 or 21. Reconsideration and withdrawal of the rejection of independent claim 12, 21 and respective dependent claims 13, 18-21 and 26-28 is requested.

Claims 14 and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsuda in view of Bax and further in view of Yoshida. Again Applicants have assumed that due to a typographical error, the rejection is based on the combination of Yabe with Bax, Yoshida and not Matsuda. Claim 14 depends from independent claim 12 and claim 22 depends from independent claim 21. Yabe and Bax lack a teaching or suggestion of the claim limitation of detecting the voltage of the vehicle battery, and in fact teach away as discussed above. That which Yabe and Bax lacks is neither taught nor suggested by Yoshida. Reconsideration and withdrawal of the rejection of claims 14 and 22 is requested.

Claims 15-17 and 23 and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsuda in view of Bax in view of Yoshida and in view of Ishii. Again Applicants have assumed that due to a typographical error, the rejection is based on the combination of Yabe with Bax, Yoshida, Ishii and not Matsuda. Claims 15-17 depend from independent claim 12 and claims 23,25 depend from independent claim 21. Yabe, Bax and Yoshida lack a teaching or suggestion of the claim limitation of detecting the voltage of the vehicle battery, and in fact teach away as discussed above. That which Yabe, Bax and Yoshida lacks is neither taught nor

suggested by Ishii. Reconsideration and withdrawal of the rejection of claims 15-17 and 23 and 25 is requested.

Conclusion

For all of the foregoing reasons and in view of the foregoing amendments, Applicants respectfully contend that the application is now in condition for allowance. Accordingly, Applicants respectfully request entry of the foregoing amendments, reconsideration and allowance of claims 6-28, and issuance of a Patent for the subject invention. If the Examiner cares to discuss anything presented here to further prosecution of this application, he is invited to contact the undersigned Attorney for the Applicant. Please charge any additional requisite fees relating to this amendment and response to Deposit Account No. 501581.

Respectfully submitted,

Dated: May 22, 2008
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